

**DISTRICT COURT OF THE VIRGIN ISLANDS**

**DIVISION OF ST. CROIX**

JUAN MENDEZ, MERCEDES CRUZ, MAXIMO GUERRERO, FELIPE FIGERUROA, HERIBERTO LABOY, MARCEL HIPPOLYTE, SANDRO RIVERA, LUCHO HERNANDEZ, GEORGIE ANTHONY ACOSTA, SHAWN SMITH, MARCELO LANDERS, ORLANDO PAGAN, MICHAEL BYNOE, ELROD BAPTISTE, BERTRIL WILLIAM, THOMAS DUPARL, JOSEPH NICHOLAS, ORSON ORLANDO FLEMMING, GREGORY LA FORCE, PIUS AURELIEN, CATHERINE SABIN, MIQUEL LIRIANO, JOSH GONDELEC, NATHANIEL HOBSON, MARK VITALIS, MARCO RIJO, SABINO CASTILLO, IRA CLAXTON, ALFRED JAMES, HUMBERTO ORTIZ, JOSEPH OSCAR, ERNESTO RODRIGUEZ, SENCION GUERRERO, ALFREDO DIAZ, CYRIL THOMAS, SOSTENES MONTILLA, ANGEL OSCAR VELASQUEZ LOPEZ, ANGEL OSCAR VELASQUEZ MARTINEZ, KEITH LOUIS SIMON, JR., JORGE RODRIGUEZ, ROBERT L. JONES CHARLEMAN, WALDEMAR OLMEDA, RODOLF R. KOCK, LUIS A. MEDINA, BIENVENIDO CARRASCO, RAQUEL CONCEPCION, JOSE GONZALEZ, and CARLOS GARCIA,

1:05-cv-174

**Plaintiffs,**

v.

PUERTO RICAN INTERNATIONAL COMPANIES, INC. (PIC); FLUOR CORPORATION d/b/a FLUOR DANIEL CONSTRUCTION; PLANT PERFORMANCE SERVICES, LLC (P2S); and HOVENSA, LLC,

**Defendants.**

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SHAWN SMITH and MICHAEL BYNOE,

v.

1:05-cv-199

PUERTO RICAN INTERNATIONAL COMPANIES, INC. (PIC); FLUOR CORPORATION d/b/a FLUOR DANIEL CONSTRUCTION; PLANT PERFORMANCE SERVICES, LLC (P2S); and HOVENSA, LLC,

**Defendants.**

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**TO: Lee J. Rohn, Esq.  
Maxwell D. McIntosh, Esq.  
Charles E. Engeman, Esq.  
Linda J. Blair, Esq.**

**ORDER GRANTING PLAINTIFFS' MOTION TO COMPEL**

THIS MATTER came before the Court upon Plaintiffs' Motion to Compel Defendant Puerto Rican International Companies to Provide Rule 26 Disclosures (1:05-cv-174, Docket No. 148).

Plaintiffs claim that counsel for Plaintiffs met and conferred with counsel for said Defendant on May 7, 2009, wherein counsel for said Defendant assured counsel for Plaintiffs that said Defendant's voluntary self-disclosures pursuant to Fed. R. Civ. P. 26 would be provided by May 22, 2009. Plaintiffs state that as of the date of filing the said motion, no such disclosures have been provided. In addition, the record is void of any notice by said Defendant that such disclosures have been served upon any party.

Having thus reviewed the said motion and upon due consideration thereof, the Court finds that said Defendant is in violation of Fed. R. Civ. P. 26 and, consequently, Plaintiffs' motion should be granted.

Accordingly, it is hereby **ORDERED**:

1. Plaintiffs' Motion to Compel Defendant Puerto Rican International Companies to Provide Rule 26 Disclosures (1:05-cv-174, Docket No. 148) is **GRANTED**.

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2. Defendant Puerto Rican International Companies, Inc., shall provide to counsel for all parties its voluntary self-disclosures pursuant to Fed. R. Civ. P. 26(a) on or before **July 10, 2009.**
3. Failure to comply with this Order shall result in sanctions.

ENTER:

Dated: June 29, 2009

/s/ George W. Cannon, Jr.  
GEORGE W. CANNON, JR.  
U.S. MAGISTRATE JUDGE